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<b>To:</b> Commissioner for Patents Att: Hearing Examiner M. Bahar	<b>Fax Number:</b> (703) 746-5235	<b>Phone Number:</b>
<b>From:</b> Charles M. Doyle	<b>Fax Number:</b> (914) 686-4488	<b>Phone Number:</b> (914) 681-8851
<b>Re:</b> Application No.: 09/433,418 Inventor: Joel B. Epstein Filed: November 4, 1999	<b>Date/Time sent:</b> 3/26/02 12:55 PM	<b>No. of Pages:</b> 13 (incl. cover)
<b>Client Name:</b> Oral Solutions	<b>Client Matter No.:</b> 02471642	

If you do not receive all of the pages, please call Michele DeRosso at (914) 681-8851, extension 4606.

**Notes/Comments:**

Per your telephone conversation with Charles Doyle, I am sending you, via facsimile, a copy of the RCE transmittal and preliminary amendment that was filed yesterday, 3/25/02.

Thank you.

**TO BE COMPLETED BY FAX OPERATOR**

TIME TRANSMITTED: \_\_\_\_\_ TRANSMITTED BY: \_\_\_\_\_

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PTO/SB/21 (08-00)

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/433,418	
	Filing Date	November 4, 1999	
	First Named Inventor	Joel b. Epstein	
	Group Art Unit	1617	
	Examiner Name	Bahar, M.	
Total Number of Pages in This Submission	1	Attorney Docket Number	247/164

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): RCE Transmittal; Return Postcard
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Charles M. Doyle Reg. No. 39,175
Signature	<i>Charles M. Doyle</i>
Date	March 25, 2002

**CERTIFICATE OF MAILING**  
(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as 'Express Mail Post Office To Addressee' in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

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March 25, 2002  
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WP-14334.1

Russell Morrisette

Name of Person Mailing Paper

*Russell Morrisette*  
Signature of Person Mailing Paper

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/433,418
Filing Date	November 4, 1999
First Named Inventor	Joel B. Epstein
Group Are Unit	1617
Examiner Name	Bahar, M.
Attorney Docket Number	247/164

This is a Request for continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective May 29, 2000. If the above-identified was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patented term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

a. ☐ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
Any unentered amendment(s) referred to above will be entered.

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

b. ☒ Enclosed

i. ☒ 37 C.F.R. § 1.114

ii. ☐ Affidavit(s)/Declarations(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other \_\_\_\_\_

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. ☐ Other \_\_\_\_\_

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 12-2475

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17); if any extension of time is required, please consider this a request therefore.

iii. ☒ Other: Any fee under \$1.15 or \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Charles M. Doyle	Registration No. (Attorney/Agent)	39,175
Signature	<i>Charles M. Doyle</i>	Date	3/25/02

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	Russell Morrisette
Signature	<i>Russell Morrisette</i>
Date	3/25/02